

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION**

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| RAYMOND BERNARD THOMAS, | : | |
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| Plaintiff, | : | |
| | : | No. 5:12-CV-139 (CAR) |
| Sergeant C. SMITH and Warden WILLIAM | : | |
| TERRY, | : | |
| Defendants. | : | |
| | : | |

**ORDER ON RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 5] to dismiss Plaintiff's claims against Defendant Warden WILLIAM TERRY. Plaintiff has not entered an objection to the Recommendation. Upon review of the Recommendation and consideration of Plaintiff's Complaint, the Court agrees with the findings and conclusions of the United States Magistrate Judge. The Recommendation is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**. Plaintiff's claims against Defendant Warden WILLIAM TERRY are hereby **DISMISSED**, pursuant to 28 U.S.C. § 1915(e)(2). In accordance with the Order and Recommendation, Plaintiff's claims against Defendant Sergeant C. SMITH shall go forward.

It is SO ORDERED this 1st day of June, 2012.

S/ C. Ashley Royal
C. ASHLEY ROYAL, JUDGE
UNITED STATES DISTRICT COURT

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